

FILED
5/19/06

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Via FACSIMILE TRANSMISSION

May 12, 2006

Marilyn J. Kamm, Esq.
Assistant Attorney General
State of Alaska, Dept. of Law
Fax No.: (907) 465-4043
Criminal Division Central Office
P.O. Box 110300
Juneau, AK 99811

RE: *Charlie Davis vs. Zelmer Hyden, et al.*
Our File No. 103-2

Dear Marilyn:

I write to follow up on several discovery matters after concluding the depositions last week. First, I want to make sure you understand I am formally requesting copies of the documents identified by your clients during their depositions. As I mentioned in my prior e-mail to you, I believe these documents fall within a broad reading of our prior discovery requests (which you have just answered after more than a year). More to the point, these documents are within the spirit of discovery and would ordinarily be subject to disclosure under the mandatory disclosure provisions of Federal Rule 26 or its state counterpart. Finally, I would also note that more than two years ago I asked John Bodick to provide a complete copy of all documents relating to Charlie Davis.

I would also like to schedule the deposition of PA Roger Hale. Now that we have completed the depositions of your clients, it is clear to me that Mr. Hale is more knowledgeable about Mr. Davis' medical treatment at PCC than anyone else. Your discovery responses indicated Dr. Luban was the most knowledgeable person, but the witnesses' testimony suggest otherwise. Under the circumstances, I would like to schedule Mr. Hale's deposition for a mutually convenient time.

Marilyn, given your emails to me dated April 28, and May 8, I do not expect you to voluntarily agree to any of this discovery. Accordingly, I will plan to approach the court and seek appropriate assistance. However, I would like to find a way to streamline the process so that we can minimize any delay. Toward that end, I am attaching a notice of deposition for Mr. Hale, and request for production. My purpose in

Exhibit 13
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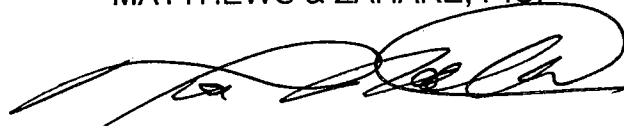
Marilyn J. Kamm, Esq.
Assistant Attorney General
December 9, 2005
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sending these is to make the appropriate record that we are asking for this discovery. I would expect you will make appropriate objections, but would ask you to do so as quickly as possible so that we can get the issue briefed. Of course, if you have a change of heart, I will be happy to work with you on timing.

Thank you for your cooperation in this matter. Should you have any questions, please feel free to contact me.

Very truly yours,

MATTHEWS & ZAHARE, P.C.

A handwritten signature in black ink, appearing to read 'Thomas A. Matthews', with a large, stylized loop at the end.

Thomas A. Matthews

TAM:jlw103-2
Kamm3-jfx

cc: Charlie Davis